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OFFICE OF PETITIONS

In re Patent No. 7,579,439	: DECISION ON REQUEST
Issued: August 25, 2009	: FOR RECONSIDERATION
Application No. 10/749,699	: OF PATENT TERM ADJUSTMENT
Filed: December 30, 2003	: AND
Attorney Docket No. 13985-0057002	: NOTICE OF INTENT TO ISSUE
	: CERTIFICATE OF CORRECTION

This is a decision on the "REQUEST FOR RECONSIDERATION OF DECISION ON REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT" filed July 22, 2010, requesting that the patent term adjustment determination for the above-identified patent be changed from 318 days to 319 days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by three hundred nineteen (319) days is **GRANTED**.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e) paid with the petition filed October 26, 2009. No additional fees are required.

The Office will *sua sponte* issue a certificate of correction which supercedes any previously mailed certificates of correction regarding the Patent Term Adjustment. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **three hundred nineteen (319) days**.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

DRAFT
UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,579,439 B2

DATED : August 25, 2009

INVENTOR(S) : Terry B. Strom

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (318) days

Delete the phrase "by 318 days" and insert – by 319 days--